



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,771	08/27/2001	Sergey A. Kryloff	009785-0130

20572  
GODFREY & KAHN S.C.  
780 NORTH WATER STREET  
MILWAUKEE, WI 53202

**CONFIRMATION NO. 8038**

**FORMALITIES LETTER**



\*OC00000006554870\*

Date Mailed: 09/14/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/27/2001 SZENDIE1 00000111 09940771

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65.00 0P

O I P E J.C.  
DEC 26 2001  
P A T E N T & T R A D E M A R K  
A t t o r n e y D o c t e r N o . : 0 0 9 7 8 5 - 0 1 3 0

Sector #3  
#3  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sergey A. Kryloff et al.

Application No.: 09/940,771

Group Art Unit: 2122

Filing Date: August 27, 2001

Examiner: Not yet assigned

Title: SOFTWARE PATCH GENERATOR

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on 12-12-01

By: Patricia Turner  
Name: Patricia Turner

RESPONSE TO NOTICE TO FILE MISSING PARTS

This is a response to the Notice to File Missing Parts mailed September 14, 2001. Enclosed are copies of the Notice to File Missing Parts, a Combined Declaration and Power of Attorney, a Petition for refusal of a joint inventor to sign the application, Petition for a one month Extension of Time, an Information Disclosure Statement with PTO Form 1449 and references cited therein, Assignment documents with recordation form cover sheet, and a check in the amount of \$290.00 to cover the missing parts surcharge, petition, extension of time, and assignment recordation. Please indicate receipt of these documents by returning the enclosed postcard.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 07-1509. A duplicate copy of this transmittal is enclosed for that purpose.

Respectfully submitted,  
GODFREY & KAHN, S.C.

By: William K. Baxter  
William K. Baxter  
Reg. No. 41,606

Dated: 12/12/01  
Attorneys of Record for Applicant  
GODFREY & KAHN, S.C.  
780 North Water Street  
Milwaukee, WI 53202-3590  
(414) 273-3500  
MW566821\_1.DOC



#3

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

<b>Application Number</b> 09/940,771	<b>Filing Date</b> 08/27/2001
<b>First Named Inventor</b> Kryloff et al.	<b>Group Art Unit</b> 2122
<b>Examiner Name</b> Not yet assigned	<b>Total Number of Pages in This Submission</b> 1
<b>Attorney Docket Number</b> 009785-0130	

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Combined Declaration and Power of Attorney Return Postcard</b>
<b>Remarks</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	William K. Baxter, Godfrey & Kahn, S.C.
Signature	
Date	12/12/01

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

12/12/2001

Typed or printed name	Patricia A. Turner		
Signature		Date	12-12-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#3

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 290.00)

Complete if Known	
Application Number	09/940,771
Filing Date	08/27/2001
First Named Inventor	Kryloff et al.
Examiner Name	Not yet assigned
Group Art Unit	
Attorney Docket No.	009785-0130

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **07-1509**  
 Deposit Account Name **Godfrey & Kahn, S.C.**

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X =	
			-3** =	X =	

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

\*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES	Fee Description	Fee Paid		
Fee Code (\$)	Large Entity Fee (\$)	Small Entity Fee (\$)		
105	130	205	65 Surcharge - late filing fee or oath	65.00
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	55.00
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	130.00
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 290.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	William K. Baxter	Registration No. (Attorney/Agent)	41,606	Telephone	414-273-3500
Signature	<i>William K. Baxter</i>			Date	12/12/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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